IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33251 of 1997

Between:

M.Shiva Reddy S/o Narasimha Reddy
R/o Rmannapalle Post, Chennur Mandal,
Cuddapah District.

..... PETITIONER

AND

1 Government of Andhra Pradesh,Rep.by its Secretary, Transport,Roads & Buildings Department,
Secretariat,Hyderabad.
2 Executive Engineer(Roads & Buildings) Department,
Khammam,Khammam District.
3 District Registrar (Stamps & Registration)
Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in treating the right to collect toll on the specified categories of the vehicles which pass on the Bridge across wira River on the Madhira -Thutikuntla road at KM 10/4-6 in Khamma District,as a lease and directing the Petitioner to execute a lease deed on non-judicial stamp papers and register the same as arbitrary and illegal and further declare that the said transaction is a License.

Counsel for the Petitioner:MR.V.SATYAM REDDY

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

ORDER:

When the matter is taken up, learned counsel for petitioner submitted that the subject matter in the present writ petition is squarely covered by the decision of this Court in U.Durga Prasad Vs. Executive Engineer (R &B), N H Division, Srikakulam and the same was admitted by the learned Government Pleader for Roads and Buildings.

Hence, this writ petition is disposed of in terms of the judgment of this Court in U.Durga Prasad case (cited supra) and in the light of the observations and reasons mentioned therein. No costs.

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N.V.RAMANA,J

25-4-05

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Government of Andhra Pradesh, Transport,Roads & Buildings Department,
Secretariat,Hyderabad.
2 The Executive Engineer(Roads & Buildings) Department,
Khammam,Khammam District.
3 The District Registrar (Stamps & Registration)
Khammam District.

4.. 2 CCs to Government Pleader for Roads & Buildings, High Court of A.P.
Buildings, Hyderabad (OUT)

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